



STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARTZBERGER  
GOVERNOR

October 12, 2007

Myra Herrmann  
City of San Diego  
1222 First Avenue, MS-501  
San Diego, CA 92106

Subject: Urban Runoff Management Plans  
SCH#: 2007091059

Dear Myra Herrmann:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 11, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

*Terry Roberts*

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



CYNTHIA BRYANT  
DIRECTOR

RESPONSE TO COMMENTS

Stateclearing House  
(October 12, 2007)

1. Comment acknowledged.

## RESPONSE TO COMMENTS

RECEIVED  
SEP. 26 2007  
STATE CLEARING HOUSE

**Native American Heritage Commission**  
**(September 26, 2007)**

MANAGEMENT PLANS. Citywide

The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Native American Quality Act (CEQA) is a law that requires any project that causes a substantial adverse change in the significance of historical resources, that includes archaeological resources, to prepare a significant project-related Environmental Impact Report (EIR) per CEQA guidelines § 15064.4(b)(3). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect" (APE), and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action in the locations where the Storm Water Pollution Prevention activity will take place:

✓ Contact the South Coast Information Center (CHRIS) located at San Diego State University. If need-be, contact the South Coast Information Center nearest you is available from the State Office of Historic Preservation (916/653-7728) <http://www.ohp.parks.ca.gov/?00620Roster.pdf>. The record search will determine.

- If a part of the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- Contact the Native American Heritage Commission (NAHC) for:
  - A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following location format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the

2. Comment acknowledged. This comment letter contains recommended assessment and mitigation measures necessary for projects which may impact sensitive Native American resources. It should be noted that the mitigation program was recently updated to incorporate Native American participation in all aspects of the program, and to incorporate revisions to the Public Resources Code section related to the treatment of human remains. In addition, all future projects will be evaluated in accordance with the provisions of CEQA, using the methodology incorporated into the City's Draft General Plan. If a future project would result in a direct impact to an important archaeological site or Native American Traditional Cultural Property, this MND could not be added. Rather, additional evaluation would be required which includes Native American participation, and a separate environmental document would be prepared.

RESPONSE TO COMMENTS

2. NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave items.  
✓ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.  
✓ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,  
  
Dave Singletary  
Program Analyst

Attachment: List of Native American Contacts

This Page Intentionally Left Blank

From: "Fairmount Park Association" <fairmountpark92105@yahoo.com>  
To: <dsdeas@sandiego.gov>  
Date: Sun, Oct 7, 2007 2:09 PM  
Subject: Project 134590 Urban Runoff Management Plans MND

To: Myra Herrmann, Environmental Planner DSD  
From: Russ Connolly, President FPNA  
Subject: Project 134590

On review of the Mitigated Negative Declaration for the City's Urban Runoff Management Plan, I have a few points of clarification to offer:

First, in several places in this MND "City Manager" is mentioned as the authority in charge of decision making. Please revise to "Mayor" to reflect the current system in place.

Second, regarding section VIII subsections C and E of the Initial Study Checklist: There are several known sites that currently contain parking lots of City owned facilities that have or are suspected to contain contaminated soil beneath their pavements such as at the San Diego Sports Arena (former dump site) and Qualcomm Stadium (petroleum contamination from nearby tank farms). These sites may contain significant amounts of hazardous materials in the ground below the pavements and could be disturbed during the work outlined in this MND. Further, there are several known sites throughout the Mid City area that contain former dumpsites which may or may not contain potential hazardous materials beneath City property, streets and right-of-ways.

It is the opinion of the Fairmount Park Neighborhood Association that these sections of the initial study should reflect a finding of "maybe" instead of "no" in light of the possibility for finding potential hazardous materials on these lands.

Yahoo! OneSearch: Finally, mobile search that gives answers, not web links.  
<http://mobile.yahoo.com/mobileweb/onesearch?refer=1ONXIC>

## RESPONSE TO COMMENTS

Fairmount Park Association  
(October 7, 2007 – via email)

3. The suggested revisions have been made to the MND, Mitigation Monitoring and Reporting Program (MMRP) reflecting a change from "City Manager" to "Assistant Deputy Director Environmental Design" which assumes the role on behalf of the Mayor for MMRP compliance.
4. Staff concurs with the comment regarding the potential for City owned facilities to contain below grade soil contamination and/or hazardous materials. As such, during preliminary design review for future projects the County's Department of Environmental Health (DEH), Site Assessment Management listing would be searched to determine the likelihood for potential hazardous as noted above to be encountered during construction. Should any portion of a contaminated site, such as but not limited to underground storage tanks, soil contamination, burn ash, etc., be identified within the project boundary, then this MND could not be utilized for the activity. As such, additional evaluation would be required for compliance with County regulations and disclosed in a separate MND for the project. It is anticipated that this document would only be used for activities which would not result in impacts or hazards which require further analysis and preparation of technical studies with specific mitigation.
5. Please see Response to Comment 4. This environmental document would not be used for activities which would result in impacts requiring the preparation of technical studies and provisions for mitigation not covered by this MND. It should be noted, that the regulatory authority for soil contamination and other hazardous material issues lies with the County DEH. Verification of compliance with County regulations is required prior to issuance of any construction permit. Therefore, since it is assumed that this document would only be used for activities which do not have a potential for exposing people or the environment to a significant hazard or would create a health hazard, the Initial Study checklist has not revised as suggested.



A Semptra Energy utility

## RESPONSE TO COMMENTS

San Diego Gas & Electric Company (SDG&E)  
(October 9, 2007)

October 9, 2007

SFH 200.282

Myra Herrmann  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, Ca 92101


E-mailed to [DSDEAS@sandiego.gov](mailto:DSDEAS@sandiego.gov) on October 9, 2007

Re: Project No. 134590: Urban Runoff Management Plans  
Comments on the Mitigated Negative Declaration

Dear Ms. Herrmann:

San Diego Gas & Electric Company (SDG&E) has reviewed the City of San Diego's Mitigated Negative Declaration (MND) for the Urban Runoff Management Plans (Plans) and submits the following comments. Based on language throughout the MND, SDG&E assumes the Plans only affect capital improvement programs sponsored by the City. SDG&E further assumes that typical public utility activities located within franchise position or street right-of-way will not be subject to the proposed mitigation measures for impacts to historical resources, paleontological resources and land use (MHPA Land Use Adjacency). If this is not the case, then SDG&E reserves the right to participate further in the public environmental review process and comment on the implications of such applicability.

Sincerely,

  
Tom G. Acuna  
Land Planning Supervisor  
(658) 637-3701  
(619) 884-0566 Cell

6. According to General Services Stormwater staff, any project within the City of San Diego is subject to the applicability criteria of the City's Stormwater Standards. However, staff acknowledges that SDG&E has its own stormwater staff which reviews projects to ensure compliance with regulatory requirements and would implement all applicable construction Best Management Practice's (BMPs). Regarding the provision for archaeological and paleontological monitoring, where a proposed activity in the public right-of-way (PROW) has the potential to impact the above resources (outside of known recorded archaeological sites), monitoring would be required unless of course no resources are identified during the records search. Additionally, the City retains the right to review any project w/in the PROW which would result in impacts to environmental resources, including but not limited to historical archaeological and/or Native American resources to ensure compliance with the Federal, State and Local codes and regulations. City Environmental staff intends to provide SDG&E Environmental staff with information regarding areas which the City considers as highly sensitive with respect to archaeology. These areas would require additional review/evaluation before any permits can be issued or an environmental document can be prepared.



San Diego County Archaeological Society, Inc.

Environmental Review Committee

14 October 2007

To: Ms. Myra Herrmann  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration  
Urban Runoff Management Plans  
Project No. 134590


Dear Ms. Herrmann:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and initial study, we agree with the impact analysis and mitigation measures as proposed.

Thank you for including SDCAS in the public review of this DMND.

Sincerely,

  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

cc: SDCAS President  
File

RESPONSE TO COMMENTS

San Diego County Archaeological Society  
(October 14, 2007)

7. Comment acknowledged.

# California Native Plant Society

September 20, 2007

Myra Herrmann  
City of San Diego Development Services Center  
1222 First Avenue MS 501  
San Diego CA 92101  
DSDEAS@sandiego.gov

Re: Urban Runoff Management Plan, Draft MND, Project 134590

Dear Ms. Herrmann;

We wish to make the following comments on the Mitigated Negative Declaration for the Urban Runoff Management Plan.

We would like the document to include consideration of effects on wetlands, either positive or negative, of the proposed activities. Presumably, water will be captured by the Low Impact Development and Treatment Control Best Management Practices. How this water is released will affect current and potential wetlands downstream. In the best case scenario, these modifications will decrease erosion in San Diego's creeks and canyons while also delivering sufficient water to support increased acreage of wetlands. In the worst case scenario, water will be diverted from wetlands and lead to a decline in extent of riparian forest and other habitat types that depend on year-round water.

Additionally, some sensitive species are dependent on particular types of riparian habitat. For example, Willoway monardella inhabits braided stream channels that are relatively free from dense shrubs. Practices upstream should take into consideration the effects on the required downstream habitat for this species.

Second, under LAND USE (MHPA - LAND USE ADJACENCY GUIDELINES), paragraph 6: please change "hay bales" to "weed-free straw bales". We also recommend that the City prohibit the use of straw wattles bound with plastic netting. In our experience, these wattles are never removed from sites. Since the plastic does not degrade, this results in permanent installation of plastic trash, which is unsightly and has been reported to trap and kill birds and reptiles.

Thank you for your consideration.

Sincerely,

Carrie Schneider, Board Member  
San Diego Chapter of the California Native Plant Society  
P O Box 121390, San Diego CA 92112-1390  
(858) 352-4413 (day), info@cnpsd.org



*Dedicated to the preservation of California native flora*

## RESPONSE TO COMMENTS

California Native Plant Society  
(September 20, 2007)

8. According to the Regional Board in their June 25, 2007, Response to Comments for the Bacteria Impaired Waters, TMDL Project 1 for Beaches and Creeks, regarding impacts from different stormwater regulations, a reduction or loss in dry weather flows may affect the present habitats found in the watersheds; however, improvements in the water quality of the remaining water in the streams should be beneficial to the wildlife. The Regional Board response goes on to state that "summertime dry weather flow in the watersheds that existed before extensive urban development in the watershed likely was supported by groundwater seepage into the channel. Since there is no groundwater development in the watersheds to lower the water table, dry weather base flow from groundwater seepage is likely to be at or higher than under pre-development conditions, due to a rise in the groundwater table from irrigation water recharge. Eliminating nuisance flows should not alter the dry weather flow in the watersheds due to groundwater seepage. Thus, stream reaches with perennial stream flow and riparian or wetland habitats should not diminish below pre-development levels."
9. Comment acknowledged. See Response to Comment No. 8.
10. Paragraph 6 under Land Use (MHPA - Land Use Adjacency Guidelines) has been revised to read: "weed-free hay or straw bales" as recommended.

City of San Diego  
Development Services Department  
LAND DEVELOPMENT REVIEW DIVISION  
1222 First Avenue, Mail Station 501  
San Diego, CA 92101-4101  
(619) 446-6460

INITIAL STUDY  
Project No. 134590  
SCH No. 2007091059

SUBJECT: **URBAN RUNOFF MANAGEMENT PLANS. CITY COUNCIL APPROVAL** of one (1) updated Jurisdictional Urban Runoff Management Plan (JURMP) and associated ordinance amendments and amendments to the Land Development Manual, six (6) updated Watershed Urban Runoff Management Plans (WURMPs), and one (1) Regional Urban Runoff Management Plan (RURMP) outlining the efforts of the City of San Diego (City) to reduce and prevent, by itself and in coordination with other jurisdictions, urban runoff pollution pursuant to the San Diego Regional Water Quality Control Board Order No. R9-2007-0001 (Municipal Storm Water Permit). The City's efforts will incorporate both structural and non-structural activities throughout its jurisdiction. Applicant: City of San Diego, General Services Department, Storm Water Pollution Prevention Division.

I. PURPOSE AND MAIN FEATURES:

**BACKGROUND**

Pursuant to the Municipal Storm Water Permit, the Storm Water Pollution Prevention Division (Storm Water Division) in the General Services Department is updating the City's JURMP, which outlines the City's efforts to reduce urban runoff pollution within its jurisdiction. These efforts include: continued water quality monitoring and pollutant source studies to identify problems, problem areas, and problem sources/causes; modification of City ordinances, land use policies, and the Storm Water Standards Manual to further reduce the impact of new development and redevelopment on water quality; increased enforcement of the Storm Water Ordinance to encourage behaviors protective of water quality; increased education of residents and businesses of urban runoff pollution and ways to modify their behaviors that contribute pollutants; and continued training of municipal staff to implement best management practices (BMPs) in the course of their duties to reduce and prevent the release of pollutants. The Municipal Storm Water Permit requires the City to report annually on the progress of implementing its JURMP and, as necessary, update it. The City Council adopted the current JURMP via Resolution No. R-296019 on January 28, 2002.

In addition to the JURMP, the Storm Water Division is updating, in conjunction with other jurisdictions in the region, six WURMPs, one for each of the watershed management areas (WMAs) that the City has jurisdiction in: San Dieguito River, Los Peñasquitos, Mission Bay, San Diego River, San Diego Bay, and Tijuana River (see Figure 1). The Municipal Storm Water Permit requires the City to collaborate with the designated lead and other participating jurisdictions in



those WMAs to develop and implement activities that reduce urban runoff discharges from their storm drain systems that cause or contribute to a violation of water quality standards. These activities include: education and outreach; watershed- and water quality-based land use planning principles; outside stakeholder engagement and collaboration; and pollutant load reduction and pollutant source abatement. In particular, pollutant load reduction and pollutant source abatement activities may include Capital Improvement Projects (CIP) and other structural solutions. The Municipal Storm Water Permit requires the City to develop a five-year plan of activities with the other jurisdictions for each of its WMAs and to report annually on the progress of implementing the plan.

The City is also in the process of developing the RURMP with the other jurisdictions subject to the Municipal Storm Water Permit in the region. The RURMP would outline the planned efforts of the jurisdictions to address water quality problems that are of regional concern. It is anticipated that much of the efforts in the short run would be education- and outreach-oriented.

During future construction related activities, anticipated work hours would occur during the daytime, Monday through Friday. The contractor would comply with the requirements described in the *Standard Specifications for Public Works Construction*, and California Department of Transportation *Manual of Traffic Controls for Construction and Maintenance Work Zones*. A traffic control plan would be prepared and implemented in accordance with the *City of San Diego Standard Drawings Manual of Traffic Control for Construction and Maintenance Work Zones*.

#### PROGRAM ACTIVITY TYPES

For the purposes of this Initial Study, the City's proposed activities per program were grouped into different types, and each type was analyzed for potential impacts. Because the JURMP, WURMPs, and RURMP are planning documents that outline broad efforts to be implemented in upcoming fiscal years, many activities incorporated into the documents are still conceptual in nature to be further developed in the future. However, enough is known about each activity type to be able to conduct analysis at a programmatic level.

#### 1. The **JURMP** would consist of the following activity types:

- Water Quality Monitoring and Pollutant Source Characterization: These activities would identify and allow for the prioritization of water quality problems, problem areas, and problem sources/causes.
- Education, Training, and Outreach: These activities include educating residents and businesses through a variety of techniques of urban runoff pollution and ways to modify their behaviors that contribute pollutants; training municipal staff to implement BMPs in the course of their duties to reduce and prevent the release of pollutants; and reaching out to engage stakeholders in the planning, development, and implementation of the urban runoff pollution prevention efforts.
- Inspection, Investigation, and Enforcement: These activities involve enforcement of the Storm Water Ordinance through business inspections, potential discharge investigations, prosecution, and education to encourage behaviors protective of water quality.

- Good Housekeeping BMPs: These are urban runoff pollution prevention measures typically implemented during the course of a City employee's daily activities/duties to prevent or minimize the production of pollutants or the exposure thereof to runoff. Examples include dry sweeping instead of hosing down driveways, covering trash bins, making spill kits available, regularly checking fueling stations for leaks, using the correct amount of pesticides/fertilizers, keeping animal facilities free of exposed wastes, etc.
- Land Use Planning: These activities involve implementing land use policies via modifications to the General Plan and Community Plans that incorporate urban runoff pollution prevention principles and practices in the management and development/redevelopment of land.

#### STORM WATER STANDARDS MANUAL UPDATE

Also, as part of the **JURMP**, updates to the City's Storm Water Standards Manual would be made to effect the following requirements pursuant to the Municipal Storm Water Permit:

- Advanced Treatment: Require implementation of advanced treatment (i.e., use of mechanical or chemical means to flocculate and remove suspended sediment from runoff from construction sites prior to discharge) for sediment at construction sites determined to be an exceptional threat to water quality
- Phased Grading: Update grading requirements to better institute grading in phases to minimize exposed disturbed areas subject to erosion at any one time
- Low Impact Development (LID): Require identified development projects to implement LID BMPs, which will collectively minimize directly connected impervious areas and promote infiltration on site.
- Treatment Control BMPs: Require identified development projects to implement treatment control BMPs, which mitigate (infiltrate, filter, or treat) the required site-specific volume or flow of storm water runoff
- BMP Ranking: Rank treatment control BMPs per pollutant removal efficiency and develop sizing and design criteria to incorporate into existing development regulations to guide developers of identified development projects in implementing treatment control BMPs
- Hydromodification: Develop and implement a Hydromodification Management Plan to manage increases in runoff discharge rates and durations from identified development projects, where such increased rates and durations are likely to cause increased erosion of channel beds and banks, sediment pollutant generation, or other impacts to beneficial uses and stream habitat due to increased erosive force

#### INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL BMP REQUIREMENTS

The **JURMP** would also designate and describe a minimum set of BMPs for all industrial and commercial sites/sources and for high threat to water quality residential areas and activities. These BMPs would consist of good housekeeping practices to prevent or minimize the production of pollutants or the exposure thereof to runoff, such as dry sweeping instead of hosing down driveways, covering trash bins, making spill kits available, regularly checking

fueling stations for leaks, using the correct amount of pesticides/fertilizers, keeping animal facilities free of exposed wastes, picking up and properly disposing of pet wastes, avoiding excess irrigation of landscaping, etc. Table A (attached) provides a listing of the minimum required BMPs.

Initial enforcement of the required minimum BMPs would be primarily through educational efforts. Notices of Violation (NOVs) without a monetary fine may also be issued to businesses, industries, or residents. However, it should be noted, that NOVs may be subject to a monetary fines in the future.

2. The **WURMPs** would consist of the following activity types:

- Water Quality Monitoring and Pollutant Source Characterization: These activities would identify and allow for the prioritization of water quality problems, problem areas, and problem sources/causes.
- Education, Training, and Outreach: These activities include educating residents and businesses through a variety of techniques of urban runoff pollution and ways to modify their behaviors that contribute pollutants; training municipal staff to implement BMPs in the course of their duties to reduce and prevent the release of pollutants; and reaching out to engage stakeholders in the planning, development, and implementation of the urban runoff pollution prevention efforts.
- Inspection, Investigation, and Enforcement: These activities involve enforcement of the Storm Water Ordinance through business inspections, potential discharge investigations, prosecution, and education to encourage behaviors protective of water quality.
- Watershed-Based Land Use Planning: These activities involve implementing land use policies that mandate the incorporation of urban runoff pollution prevention principles and practices in the management and development/redevelopment of land.
- Capital Improvement Projects: These activities include construction of treatment facilities, detention basins, street/parking lot improvements, storm drain improvements, dry weather flow diversions, and other significant structural controls to treat urban runoff of pollutants.
- Other Non-Structural Projects: These activities include trash cleanup sponsorships, targeted street sweeping, rain barrel/smart irrigation incentive programs, kelp removal, homeless encampment removal, doggie bag dispenser installation, sponsoring the operation and maintenance of detention basins, and other similar activities.

In particular, the CIPs in the **WURMPs** would, at the time of this analysis, include the following project types:

- Green Street – Infiltration: Replace sidewalks and asphalt paving with porous concrete sidewalks and porous asphalt paving and install planter boxes along residential right of ways in high pollutant loading areas to allow urban runoff to infiltrate into the ground, thereby reducing runoff volume and removing pollutants from the “first flush” of urban runoff

- Green Mall – Infiltration: Replace sidewalks and asphalt paving with porous concrete sidewalks and porous asphalt paving and install planter boxes along commercial/industrial right of ways in high pollutant loading areas to allow urban runoff to infiltrate into the ground, thereby reducing runoff volume and removing pollutants from the “first flush” of urban runoff
- Green Lot – Infiltration: Replace asphalt paving of parking lots with porous asphalt paving and install planter boxes in high pollutant loading areas to allow urban runoff to infiltrate into the ground, thereby reducing runoff volume and removing pollutants from the “first flush” of urban runoff
- Infiltration Vault/Pit Installation: Install underground vaults/pits with associated headworks to capture and store urban runoff and allow it to infiltrate into the ground, thereby reducing runoff volume and removing pollutants from the “first flush” of urban runoff
- Hydrodynamic Separator Installation: Install inlet devices that reduce runoff flow velocity and allow for settling of suspended solids
- Sediment and Peak Flow Control: Install devices primarily on City property to capture and temporarily store storm flows to allow for settling of pollutants and then treat/filter water before discharge
- Inlet Trash/Debris Segregation BMP: In conjunction with targeted street sweeping, install inlet devices to capture trash/debris prior to conveyance into local water bodies
- Bacteria Treatment BMP: Install devices or facilities to remove bacteria from runoff before discharge from MS4 and into receiving water bodies
- Dry Weather Diversion: Install inlet system to redirect dry weather runoff into sewage system for treatment instead of directly discharging often pollutant-laden dry weather and “first flush” flows into receiving water bodies

The other non-structural projects in the WURMPs would at the time of this analysis, include the following project types:

- Targeted Street Sweeping: Use specialized street sweepers and/or increase street sweeping efforts in areas identified as metals and trash high loading areas due high volumes of vehicular and human traffic and activity to reduce the accumulation of metals and trash before washed into MS4 and local water bodies via runoff
- Trash/Debris Cleanup: Sponsor local organizations’ cleanup efforts to remove litter from public areas and waterways before being washed out by runoff into local water bodies
- Smart Irrigation Control Incentive Program: Implement program to disseminate information and promote installation of devices through rebates or giveaways to reduce over irrigation and prevent irrigation flows from leaving landscaped areas, thereby reducing dry weather runoff volume with capacity to convey pollutants
- Downspout Redirection Incentive Program: Implement program to disseminate information and promote redirection of downspouts to landscaped areas for infiltration of roof runoff, thereby reducing runoff volume with capacity to convey pollutants
- Rain Barrel Incentive Program: Implement program to disseminate information and promote installation of rain water collection containers through rebates or giveaways to

harvest rain water for landscaping irrigation and other non potable uses, thereby reducing runoff volume with capacity to convey pollutants

3. The **RURMP** would consist primarily of the following activity types:

- Water Quality Monitoring and Pollutant Source Characterization: These activities would identify and allow for the prioritization of water quality problems, problem areas, and problem sources/causes.
- Education, Training, and Outreach: These activities include educating residents and businesses through a variety of techniques of urban runoff pollution and ways to modify their behaviors that contribute pollutants; training municipal staff to implement BMPs in the course of their duties to reduce and prevent the release of pollutants; and reaching out to engage stakeholders in planning, development, and implementation of the urban runoff pollution prevention efforts.

#### STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE UPDATE

As part of the update to the JURMP, two revisions to Section 43.03 of the Municipal Code, which is the City's Stormwater Management and Discharge Control Ordinance (Storm Water Ordinance), will be made: (1) to reference the new version of the Municipal Storm Water Permit; and (2) to modify the list of allowable discharges into the storm drain system presently found in Section 43.0305(b) to conform to the following non-storm water discharges list of the new Municipal Storm Water Permit:

- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration to MS4s
- Uncontaminated pumped ground water
- Foundation drains
- Springs
- Water from crawl space pumps
- Footing drains
- Air conditioning condensation
- Flows from riparian habitats and wetlands
- Water line flushing
- Landscape irrigation
- Discharges from potable water resources not subject to NPDES Permit No. CAG679001, other than water main breaks
- Irrigation water
- Lawn watering
- Individual residential car washing
- Dechlorinated swimming pool discharges
- Emergency fire fighting flows



In addition, the Municipal Storm Water Permit lets each jurisdiction determine if any of the above allowable discharges should be prohibited because the jurisdiction has determined it to be a significant source of pollutants to the waters of the United States. As part of the revisions to the Storm Water Ordinance, the City will prohibit landscape irrigation and lawn watering discharges into the storm drain system by removing them from the list of allowable discharges.

The following is the current list of allowable non-storm water discharges per Section 43.0305(b) of the Municipal Code:

- Water line flushing and other discharges from potable water sources and raw water supply sources
- Landscape irrigation and lawn watering
- Rising ground waters or springs
- Uncontaminated pumped ground water not subject to any applicable NPDES Permit
- Passive foundation and footing drains
- Water from crawl space pumps
- Air conditioning condensation
- Non-commercial and residential washing of vehicles
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Flows from fire fighting

## II. ENVIRONMENTAL SETTING:

### JURMP

Implementation of the JURMP and the City's portion of the WURMPs would occur primarily at City buildings, operation yards, streets, parks, and other developed property. Monitoring, education/outreach, and enforcement activities would be implemented in residential, commercial, and industrial land use areas as deemed appropriate. These sites are outside of Environmentally Sensitive Lands (ESL) as defined in the Land Development Code (LDC), the Multi-Habitat Planning Area (MHPA), but could be within areas subject to the Historical Resources Regulation (HRR). Implementation of the activity types may occur within the State Coastal Zone and/or within the City of San Diego Coastal Zone. Surrounding land uses within the proposed project vicinities may include, but are not limited to, single-family residential, multi-family residential, commercial, industrial, parking lots, and public rights-of-way.

### WURMPs

Implementation of the City's portion of the WURMPs would occur primarily at City buildings, operation yards, streets, parks, and other developed property. Monitoring, education/outreach, and enforcement activities would be implemented in residential, commercial, and industrial land use areas as deemed appropriate. These sites are outside of ESL, the MHPA, but could be within areas subject to the HRR. Implementation of the activity types may occur within the State Coastal Zone

and/or within the City of San Diego Coastal Zone. Surrounding land uses within the proposed project vicinities may include, but are not limited to, single-family residential, multi-family residential, commercial, industrial, parking lots, and public rights-of-way.

### **RURMP**

Because of its education- and outreach-oriented nature, implementation of the City's portion of this document would occur primarily in residential, commercial, and industrial land use areas as deemed appropriate. These sites are outside of ESL, the MHPA, but could be within areas subject to the HRR. Implementation of the activity types may occur within the State Coastal Zone and/or within the City of San Diego Coastal Zone. Surrounding land uses within the proposed project vicinities may include, but are not limited to, single-family residential, multi-family residential, commercial, industrial, parking lots, and public rights-of-way.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION:

The following issue areas were determined to be not significant and therefore no mitigation is required:

### **WATER QUALITY**

Urban runoff discharged from municipal storm water conveyance systems has been identified by local, regional, and national research programs as one of the principal causes of water quality problems in most urban areas. The proposed Urban Resource Management Plan updates, Ordinance revisions and Storm Water Standards Manual updates would ensure compliance with the City's Municipal Storm Water Permit. The proposed future activity types identified in the Purpose and Main Feature of the Initial Study would be designed to ensure that runoff and storm flows are diverted to inlets and treated on-site before being directed to the existing storm drain systems Citywide. In addition, compliance with the regulation is required during construction activities to reduce potential water quality impacts to below a level of significance; therefore no mitigation is required with this MND.

### **LAND USE**

#### **STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE UPDATE**

Proposed revisions to Section 43.03 of the Municipal Code would be primarily administrative in nature and, therefore, would not have a significant impact on the environment. Removal of items from the list of allowable discharge, if the City deems them as significant sources of pollutants to the waters of the United States, would result in greater protection of the region's water quality and the environment in general.

### **JURMP**

The following activity types contained in the JURMP would have a less than significant impact on the environment: water quality monitoring and pollutant source identification; education, training, and outreach; inspection, investigation, and enforcement; and good housekeeping BMPs (including those for municipal, industrial, commercial, and residential sites/sources). These activity types are non-structural in nature and would be implemented in the urbanized portions of the City outside of ESL and the MHPA. Although these activity types could be in areas subject to the HRR, they would not have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

#### LAND USE PLANNING

Conversely, the activity type of land use planning in the JURMP may have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment. However, because the proposed land use planning modifications are still conceptual in nature, no other determination other than future analysis under CEQA can be determined at this point. Any modifications to the City's land use planning policies would be subject to separate analysis under CEQA as they are developed.

#### STORM WATER STANDARDS MANUAL UPDATE

The proposed updates to the Storm Water Standards Manual regarding phased grading, treatment control BMP ranking, and hydromodification would have a less than significant impact on the environment. Implementation of these modifications would reduce erosion and the generation and release of other pollutants into urban runoff, protecting the water quality of local water bodies and, therefore, would have less than significant impact on the environment.

The proposed updates to the Storm Water Standards Manual regarding advanced treatment, LID, and treatment control BMPs would require the implementation, for certain development projects, of structural solutions to reduce urban runoff pollution. Assessment of possible future impacts of these development projects and associated structural solutions here would be remote and speculative. However, it is anticipated that these structural solutions would be integrated into the construction program of future development projects and into the development projects themselves and, therefore, would be part of the permit and approval review process for those projects. They would be implemented in the urbanized or future urbanizing portions of the City outside of ESL and the MHPA, but could be within areas subject to the HRR. Implementation of the development regulation modifications themselves would reduce the generation and release of pollutants into urban runoff, protecting the water quality of local water bodies and, therefore, would have a less than significant impact on the environment.

#### WURMP

The following activity types contained in the City's portion of the WURMPs would have a less than significant impact to the environment: water quality monitoring and pollutant source identification; education and outreach; inspection, investigation, and enforcement; and other non-structural projects. These activity types are non-structural in nature and would be implemented



in the urbanized portions of the City outside of ESL and the MHPA, but could be within areas subject to the HRR. However, because these activity types are non-structural, they would not have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

#### LAND USE PLANNING (WATERSHED-BASED)

Conversely, the activity type of land use planning (watershed-based) contained in the City's portion of the WURMPs would have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment. However, because the proposed land use planning modifications are still conceptual in nature, no other determination other than future analysis under CEQA can be determined at this point. Any watershed-based modifications to the City's land use planning policies would be subject to separate analysis under CEQA as they are developed.

#### CAPITAL IMPROVEMENT PROJECTS

CIPs contained in the City's portion of the WURMPs would have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment. These include projects involving the infiltration of runoff into the ground through pervious/porous material. Excessive groundwater infiltration has the potential to damage street sidewalk, and building improvements. Geotechnical evaluations of all potential project sites would be required in order to determine the feasibility of the sites for infiltration. Sites not feasible for infiltration would be abandoned in favor of those feasible. Such an evaluation would be necessary because the goal of the infiltration projects is to reduce urban runoff flows as much as feasible by allowing flows to soak into the ground in a manner engineered as to not compromise the integrity of nearby structures. The anticipated implementation of a geotechnical evaluation for future infiltration project sites would reduce the potential impacts to below a level of significance.

#### RURMP

The environmental analysis has determined that the following activity types contained in the RURMP would have a less than significant impact to the environment: water quality monitoring and pollutant source identification; and education, training, and outreach. These activity types are non-structural in nature and would be implemented in the urbanized portions of the City outside of ESL and the MHPA. They would not have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

#### POTENTIALLY SIGNIFICANT ENVIRONMENTAL ISSUES

Because future CIPs (i.e., Green Street – Infiltration, Green Mall – Infiltration, Green Lot – Infiltration, Infiltration Vault/Pit Installation, Hydrodynamic Separator Installation, Sediment and Peak Flow Control, Inlet Trash/Debris Segregation BMP, and Bacteria Treatment BMP, Dry Weather Diversion) included as part of the City's portion of the WURMPs would have a potential for resulting in either a direct physical change or a reasonably foreseeable indirect physical change

in the environment, the following environmental issues were analyzed and determined to be potentially significant: **HISTORICAL RESOURCES (ARCHAEOLOGY), PALEONTOLOGICAL RESOURCES, AND LAND USE (MHPA).**

**LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM/ MULTI-HABITAT PLANNING AREA)**

The Multiple Species Conservation Program (MSCP) is a conservation program designed to facilitate the implementation of a regional habitat preserve while allowing "take" of endangered species or habitats at the individual project level (City of San Diego 1997). This habitat preserve is known as the Multi-Habitat Planning Area (MHPA) and lands within it have been designated for conservation. The MHPA was designed to conserve biological resources considered sensitive by the resource agencies and by the City of San Diego.

Although no projected activity types would occur within the boundaries of the City of San Diego MSCP/MHPA, implementation of future construction related activities could be located adjacent to the MHPA. Therefore, in order to be consistent with current adopted MSCP Subarea Plan policies and Management Directives future projects would be designed to incorporate the applicable MSCP Land Use Adjacency Guidelines and include provisions for barrier fencing and plantings for access control; lighting restrictions; drainage and toxins as indicated below, and would not conflict with habitat function, configuration, or long-term viability; usage of the MHPA by sensitive species including narrow endemics; established management directives for the subarea plan; or cause potentially adverse edge effects. Direct access to public open space would be prohibited during any future construction related activity in order to minimize impacts to sensitive lands and to promote the objectives of the MSCP Subarea Plan. Consistency with the MHPA Land Use Adjacency Guidelines incorporated into the MMRP would reduce any potential indirect impacts to below a level of significance.

**HISTORICAL RESOURCES (ARCHAEOLOGY)**

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City when historical resources are present on the premises. CEQA requires that before approving discretionary projects, the Lead Agency must identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (Sections 15064.5(b)(1) and 5020.1). Any historical resource listed in or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant. The California Register of Historical Resources regulations apply to all proposed development within the City when historical resources are present on the premises.

Because specific sites have not yet been determined for some of the CIP activity types in the WURMPs, site-specific analysis cannot be conducted at this point. However, potential sites may be in areas of the City identified to be archaeologically sensitive. This is especially the case in the coastal areas of San Diego, which is identified as archaeologically sensitive and prime for implementing urban runoff CIPs due to water quality monitoring results and adjacency to an Area of Special Biological Significance off the coast.

A thorough review of all available archaeological data in accordance with the Historical Resources Guidelines is required in order to determine whether a direct impact to historical resources would result from future project implementation. If such an impact would result and further analysis is required, the project could no longer be processed within the scope of this MND. However, if all available data/research results in the determination that no resources are present within or adjacent to the proposed project site, but there is a reasonable likelihood for either historic and/or prehistoric resources to be impacted during construction related activities, then monitoring would be required. Therefore, a Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented during construction activities to reduce potential impacts to less than significant in accordance with the MMRP included in this MND.

#### PALEONTOLOGICAL RESOURCES

Geologic formations which could underlie potential sites for the capital improvement projects in the WURMPs consist of formations which are assigned "high" and "moderate" resource sensitivities. Based on the sensitivity of the potentially affected formations and the potential excavation depths required to constrict the activity type, implementation could result in significant impacts to paleontological resources. To reduce this impact to less than significant, excavation within previously undisturbed formations at a depth of 10 or more feet, a MMRP would be implemented during construction activities to reduce potential impacts to less than significant in accordance with the MMRP included in this MND.

#### SUBSEQUENT REVIEW

Future applications for the implementation of CIP activity type projects (including, but not limited to: Green Street – Infiltration, Green Mall – Infiltration, Green Lot – Infiltration, Infiltration Vault/Pit Installation, Hydrodynamic Separator Installation, Sediment and Peak Flow Control, Inlet Trash/Debris Segregation BMP, and Bacteria Treatment BMP, Dry Weather Diversion) pursuant to the WURMPs only as indicated in the Purpose and Main Features discussion of this Initial Study within the City would be reviewed for potential impacts and consistency with the attached MND. Where it can be determined that the project is consistent with the attached MND, and if the project does not impact potentially sensitive biological resources, Important Archaeological Sites (designated or recorded archaeological sites) or Traditional Cultural Properties, and no additional potentially significant impacts would result pursuant to Section 15162 of the State of California Environmental Quality Act (CEQA), an Addendum to this MND would be prepared. The Addendum would provide project specific details, including the location, environmental setting, environmental issue areas and the construction methodology. Where future projects are inconsistent with the assumption of this environmental document, or in the event an impact would

result, then a determination of the environmental document to be prepared would be made based on the completion of an Initial Study.

V. RECOMMENDATION:

On the basis of this initial evaluation:

- ☐ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Myra Herrmann

Attachments: Figure 1 – Watershed Map  
Table A - Minimum Required BMPs  
Initial Study Checklist